

poses with her husband, Edmund "Ebb" Lettmer, 77, at their new beachfront home in Malibu, Calif. They were married there Friday. The couple met two years ago in San Francisco where she was a student at the American Conservatory Theater. He's a music publisher.

Well, it was a Russian young people get things but never about the weather.

# National Security Still Big Question in ITT Executive's Trial on Chile

By Robert Pear  
Washington Star Staff Writer

Within the next few weeks, the U.S. Court of Appeals here must decide on government's request for an unusual procedure designed to protect national security secrets at the trial of an International Telephone and Telegraph Corp. executive accused of lying to a Senate subcommittee.

The judge would conduct closed hearings to determine the relevance sensitive national security information that defense attorneys want to see during the trial, under the law for a three-step procedure brief filed with the appeals court, S. District Judge Aubrey E. Mason Jr., whose rejection of the government proposal is being appealed, said the ITT executive, Robert Berrellez, has a constitutional right to a public trial in open court.

BERRELLEZ IS ACCUSED of giving false, deceptive, blatantly evasive, and misleading statements to ITT's role in trying to keep the company from disclosing to the U.S. government information about its operations in Chile. He is charged with conspiring to commit perjury and name a CIA official, Nathan G. Hanke, as a participant in the alleged conspiracy. Hanke was not indicted.

Berrellez' case raises important questions that have appeared with increasing frequency in the so-called "graymail cases," in which a defendant — by contending classified information is an essential part of his defense — tries to force the government to drop the prosecution or negotiate a plea bargain for a lesser offense.

Berrellez' testimony was given under oath in 1973 before a Senate Foreign Relations subcommittee on multinational corporations, headed by Sen. Frank Church, D-Idaho. Jerome I. Levinson, former counsel to the subcommittee, said the Berrellez case is "tremendously significant" as a test of the integrity of the oath given by witnesses in a congressional investigation.

Unless such oaths are enforced, he said yesterday, Congress cannot be sure of obtaining the truth when it investigates in the foreign affairs-national security field.

LAST YEAR THE Justice Department allowed former CIA Director Richard Helms to plead no contest to a misdemeanor charge of failing to testify fully about the agency's covert operations in Chile. The government said trial of Helms would "involve tremendous



ROBERT BERRELLEZ  
Center of security debate

costs to the United States and might jeopardize national secrets. In their latest brief in the Berrellez case, Justice Department attorneys say Robinson's ruling, if not overturned, "will in all likelihood prompt the government to dismiss the

charges and terminate the prosecution rather than risk the compromise of extremely sensitive national security information."

That would be no surprise to Levinson, who says: "I believe they will never bring the case to trial. It was never designed to be brought to trial."

Berrellez was ITT's director of public relations for South America and now is public relations manager for a nine-state region in the southwestern United States. Reached yesterday at his office outside Los Angeles, he declined to discuss the case.

BUT COURT PAPERS suggest he will argue he was induced to lie about ITT's role in the 1970 Chilean elections by U.S. government agents who wanted to cover up his and their involvement.

The Senate Intelligence Committee found that ITT, after consulting with the CIA, made available "at least \$350,000" to Allende's opponents and that other, unnamed U.S. companies provided another \$350,000.

Foreign companies were apprehensive about Allende, according to a Senate staff report, because he had signified his intention to nationalize certain industries, including the Chilean telephone company, which at that time was a subsidiary of ITT.

Robinson showed no desire to review national security secrets in his chambers before they are revealed in court.

"I will not be an ex parte participant in any government secrets," Robinson said, adding he did not have the authority to approve the procedures requested by the government.

"This case is going to be tried as every other criminal case is going to be tried," Robinson said. At one point, he suggested, the prosecutors wanted the defense attorney to give "a dress rehearsal of his opening statement."

BERRELLEZ' LAWYER, Patrick M. Wall, said he had never before "come across a situation where somebody wanted to review in advance what I was going to say in my opening statement."

The National Law Journal, an newspaper for lawyers, also expressed reservations, saying in an editorial last week:

"What the Justice Department is seeking in the Berrellez case is, among other things, a procedural framework for closed hearings to determine the relevance of sensitive information that comes up in the course of a trial."

"There is one hitch to that simple solution: it is unconstitutional. Americans are guaranteed the right to a public trial. And a return to the days of the Star Chamber would be far more to harm the national security than to protect it."

One person who worked with Church's subcommittee said the really hiding has nothing to do with national secrets. They're afraid the Berrellez will disclose the scope of collaboration between the CIA and banks and corporations to stop Allende. Before the 1970 election, ITT representatives met frequently with CIA representatives both in Chile and in the United States, according to the Senate staff report, and the CIA advised ITT how it might "safely" channel funds to Allende's opponents.

Prosecutors say the secret Berrellez has or wants to obtain is "highly sensitive," but not really relevant to his defense. Depending on the outcome of this case, the government will decide how to proceed against Edward J. Gertity, senior vice president of ITT, who was accused of perjury and obstruction of a governmental proceeding as a result of testimony he gave on Chile.

## PROXIMITY MAKES WAVES WITH THIS 'FLEECE' AWARD

United Press International

Sen. William Proxmire today sent his Golden Fleece award for November to an Interior Department agency for spending \$145,000 on a wave-making machine for a Salt Lake City swimming pool.

award for "the biggest, most ridiculous or most ironic example of wasteful government spending" went to the Bureau of Outdoor Recreation. It financed the grants based on applications from states and localities.

**RALPH BROWN'S NOTES**

**"THANK YOU, G.M."**

Many years ago in Indiana I started out in this business selling Chevrolet's. I never sold a car. I was selling the only car that could be sold in Indiana.

